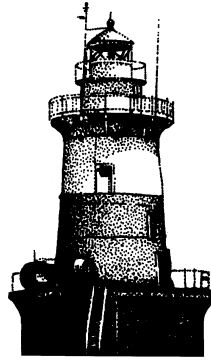


ADVISORY COMMISSION ON COASTAL WATERS TOWN OF DARIEN

JOHN McDONALD, CHAIRMAN
C. LINCOLN JEWETT, VICE CHAIRMAN
WALTER RALEIGH, SHELLFISH
FRANK KEMP, CLERK
ROBERT MONRO
JON SCHOUEL
COLIN SEELY
PALMER SPARKMAN
HENRY STRAUSS
MICHAEL WALLACE



GREEN'S LEDGE LIGHT

EX-OFFICIO MEMBERS

JANE BRANIGAN, PARK & REC. COMMISSION.
ROBERT PRICE, HARBOR MASTER
CAPT. GARY PAVIA, POLICE DEPARTMENT

Minutes of November 4, 2009 Meeting

The meeting was called to order at 7:37 pm in Room 213 by Chairman McDonald.

Present were Chairman McDonald, Vice Chairman Jewett, Commissioners Raleigh, Schoudele, Sparkman, Strauss, plus guest Warren Mathews. Commissioners Kemp, Monroe, Seely, Wallace and Ex-Officio Member Price (Harbormaster) were absent.

The minutes of the October 7, 2009 Meeting were reviewed and approved.

Chairman's Report

Chairman McDonald reported on activities on behalf of the Commission since the last meeting. He:

- He distributed copies of the Commission's Annual Report (attached)
- He reported that he had asked Wayne Fox, Town Counsel, about ex officio members' ability to be counted as part of quorum and voting, but has not had a response
- distributed copies of EPA LIS Study's "Protection + Progress" 2008 report, and said he would also distribute it to the new Board of Selectmen
- noted that the Northeast Regional Ocean Council will address priorities in New England, including its future requirements for natural gas.

Prior to later discussion of mooring standards, chairman announced that connecting all moorings with a single wire to eliminate winter stakes, is not considered feasible by Jeff Eng, as moorings are vacated and occupied at different times in the fall and spring.

Harbor Master's Report

There was no Harbor Master's Report.

Shellfish Report

Bud Raleigh distributed a letter from Aquaculture, including revised dimensions and location (GPS and map) of the Buzzeo claims (attached). Aquaculture claims to have sent same letter to Joseph Buzzeo. The next step should be Buzzeo substituting new documentation to the Town Clerk's office to amend the material submitted in 2007.

Commissioner Raleigh noted that there is a new State requirement for towns to issue permits to any commercial harvester who may wish to harvest seed oysters by hand dredge on a town's natural beds. The next step is to draft copies of the required regulations and permits for review by the Commission.

Dave Knauf (Health Department Director) has agreed to join one of our future meetings to discuss the septic situation around Scot Cove, once he doesn't have his hands full of swine flu issues.

Other Business

The Chairman introduced Warren Mathews whose Sabre 38 broke from its mooring in a storm on 9/11 and landed on a beach at Bayville, Long Island. The Commission discussed possible causes for the nylon pennant parting, setting the boat adrift, and what, if any, changes might be made to Darien minimum ground tackle standards. The Chairman appointed Commissioners S Strauss and Sparkman to review current specs and research other clubs' requirements. Jeff Eng, Manager of the Noroton Yacht Club, may be invited to join the committee and Warren Mathews volunteered to be a part of it.

The Chairman distributed a rough chart of channel and harbor depths, observing that maintenance dredging may be needed in the next few years. The channel was dredged to 8 feet in 2001, so it appears that a foot of silt has settled in it since then. The group decided that a more rigorous survey should be done next spring.

The Chairman reported that the Commodore of the Noroton Yacht Club believes that pressure washing of boat bottoms can be continued for two years, in view of the phased implementation of new State regulations concerning contaminants from bottom washing. It was noted that Greenwich is considering the collection and off-site disposal of all water used in such operations by marinas.

The Chairman suggested that it might be appropriate for the Commission to author an environmental statement that could be circulated to boaters, informing them of concerns about bottom paint residue in Long Island Sound waters.

It was noted that Commissioner Raleigh attended the September annual meeting of the CT Harbor Management Association in Branford. At this meeting CT Department of Transportation Commissioner, Joseph Marie, related activities of the State dredging manager. The activities of the State dredging manager have been in coordinating dredging requests farther east in the state. There appeared to be little of significance for Darien.

Commissioner Jewett distributed latest draft of "Managing Darien's Coastal Resources" (attached). There followed some discussion of the multiple purposes of the document, which initially may be to brief the new Board of Selectmen members. He looks forward to getting submissions of copy to use in his "Boating Overview" section from the Harbor Master, copy related to shellfish and residential development from Raleigh and copy related to interaction with other governmental agencies from Sandy.

Adjournment

There being no further business, the meeting adjourned at 9:12 pm.

The next meeting of the Commission is scheduled for Wednesday December 2, 2009 in room 213, Town Hall, at 7:30 pm.

Respectfully submitted, with thanks to Commissioner Raleigh for having served as Clerk at this meeting.

Frank B. Kemp
Clerk

Darien Advisory Commission on Coastal Waters

2008-2009 Annual Report

The stewardship of Darien's most valuable natural resource, our coastal waters, is the on going responsibility of the Advisory Commission on Coastal Waters. We advise the Board of Selectmen on complex coastal waters issues.

In 2008-2009 the commission had 7 meetings, and also met with the Board of Selectmen, the First Selectwoman, the Harbor Master, the Darien Health Director, the Public Works Director, the Darien Marine Police, and the RTM. We added two new members bringing the total members to 10. Meetings outside of Darien included the CT/DEP Boating Division Advisory Council, the CT/DEP Office of Long Island Sound, the EPA/New York/Connecticut Citizens Advisory Committee of the Long Island Sound Study, The CT Harbor Management Ass., the CT/ Bureau of Aquaculture, and the Norwalk Shellfish Commission. In addition we were in regular contact with boaters in our neighboring towns on our issues.

Issues. The Commission developed a list of 13 major Darien coastal marine issues to focus our efforts. They cover environment, boating, and harbor management areas. Important specifically are shellfish, water quality, boating safety education, storm preparation, Darien Boats and Harbors Ordinances, and a restatement of the resolution establishing the Commission.

Shellfish. The State closed recreational shell fishing in our largest shellfish bed, Scott's Cove for the foreseeable future. This action was caused by poor water quality, possibly from leaking septic systems onshore. Zeigler's Cove is also closed to recreational shell fishing for the summer months, due to the presence of boating. We continue to work with our Health Department and the State with the hope of resolving the septic system issue and reopening Scott's Cove. We have also worked with the State to better locate the commercial shellfish beds off of Noroton Bay and Pratt Islands.

Boating Safety. Improving boating safety is a high priority ongoing issue. Three boats broke loose from their harbor moorings last fall in a storm. Inspection revealed a need for closer mooring inspection. Children's safety on boats and docks were addressed with a recommendation to have kids wear life jackets at all times in these areas. Kayaks have been a safety issue and safe boating education to these boaters is difficult goal. Members have been working with the State DEP as they develop an Internet program for safe boating certification. Members have also been on the safety committees for several large Darien-based successful sailing regattas for juniors and adults.

Coastal Issues. The Commission reviewed over ten new pier applications some as long as 90ft. We expressed our concerns about excessive length of piers to the CT/DEP. The U.S. Coast Guard was notified by the Commission of the reconstruction of the Noroton Presbyterian Church steeple which is a navigation landmark listed on coastal charts. We continue to monitor the status of the Broadwater project, which has been stalled by the refusal of New York State to issue necessary permits. We are participating in the public input to the EPA/ U.S. Corps of Engineers project to develop alternative disposal methods for dredged materials.

JMMCD/Oct. 09

John McDonald, Chairman

BUREAU OF AQUACULTURE & LABORATORY

2009

November 2,

Joe Buzzeo
Jardar Nygaard

Dear Harvester:

The Department of Agriculture Bureau of Aquaculture is submitting the following information pertaining to two historical shellfish beds in Darien subject to an inquiry by the Town of Darien. Attached you will find copies of the deeds on file in the town hall for each of the two oyster beds from inception to the present. The Bureau of Aquaculture using specific information from the deeds has attempted to correctly locate and construct the shellfish beds. A map is attached.

The two shellfish beds are called tract one and tract two. Tract one originated with the application of Harriet Bell on October 20th 1872 and is filed on page 402 Vol. 2 recorded on 10/14/1874. A transfer was recorded to Sarah Mortou on 10/14/1874. At Volume two page two dated 02/19/1876 a record was filed stating that the transfer was made without the authority of Harriet Bell and the transfer was legally made to David Stevens on 02/15/1876. Tract one was transferred to George Strangward on Feb 3, 1883 in Volume 4 page 36. Mary Strangward transferred tract one and tract two to Stanley Winslow at volume 76 page 27. The estate of Winslow was transferred at Volume 110 page 82 which was then transferred at volume 477 page 284 to Joseph Buzzeo.

Tract two originated on 10/20/1872 application at Volume 2 page 231 in the name of Anne Conboy. Tract was transferred at Volume 4 page 123 to Sands Selleck on 7/28/1885. Transferred in Volume 4 page 134 to William Loosey September 19 1885. Transferred to George Strangward Volume 4 page 190 on July 23, 1889. Transferred at Volume 76 page 27 to Stanley Winslow. Tract two then follows the transfers of tract one.

The Location of the two tracts does appear to be an east west alignment based on the following information.

Tract one which the application was filed 10/ 28/1872 and recorded 10/14/1874 states the southern boundary is Greens Rock (so we centered the lot), with the east and west boundaries parallel and 19.5 Rods (320 feet) distance between them. Note the Redniss Map does not have east and west lines parallel as required. The northern boundary was established to achieve approximately four acres.

Tract Two which the application was completed on 10/20/1872 but not recorded until 7/28/1885. The description states tract two is bounded on the west by Harriet Bell which was written in 1872 when that was correct, later filed, and then by 1889 tract one was owned by George Strangwood . The tract two deed transfer was filed in 07/23/1889 and it reflected that George Strngwood owned tract one. Tract two always had an eastern boundary as C. Lossee's Island (Pratt One). Therefore its location must be adjacent to tract one and the island. The tract consisted on 2 acres more or less.

The Bureau of Aquaculture has determined from the Redniss map that alleged jurisdiction line between Stamford and Darien is inappropriately marked to the east. In reviewing a Tallmadge Bros. Inc map of the Towns of Darien and Stamford between Shippan & Long Neck Point the same error exists. When reviewing the Original Darien Town Natural bed map located at the town hall the line in question is a meridian line east of the town line. The natural bed written description and map clearly identify the Darien town boundary west of the location depicted on the Redniss map. The explanation is that continued copying of the copies of the original Darien map resulted in emphasizing the solid median line and not the dashed town line.

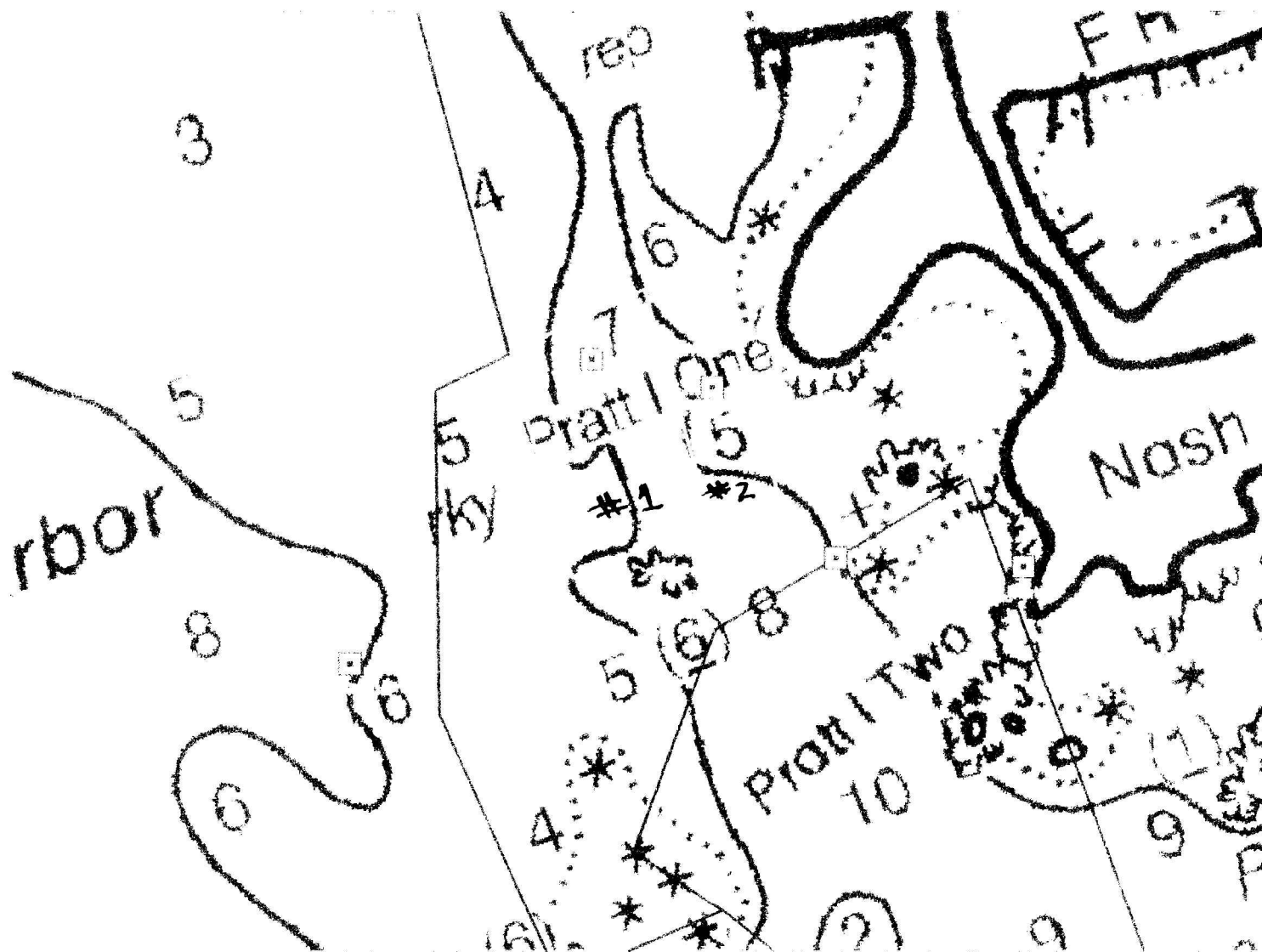
Therefore the Bureau of Aquaculture will continue to investigate this error as the Town natural beds are descriptions are laid out in GIS system and Darien and Stamford Towns will be notified of implications of this error on the bed map on file. The Darien Town line and portions of the Stamford town beds may be impacted.

The Darien tract one is approximately four acres and tract two is two acres. The northern line of the beds does not encroach into the town natural bed. Darien Town natural beds remain closed as the town has not notified the Bureau of Aquaculture of the seed oyster program parameters therefore no commercial shellfish vessel can operate on the Darien Town natural beds.

This information has been sent to the Town of Darien but Joe Buzzeo will have to contact the Town officials and request that the information be evaluated and accepted through the proper municipal procedures and placed on file within the shellfish bed records. Thank you for your cooperation in this matter.

Sincerely,

David H. Carey
Director



STATE OF CONNECTICUT
BUREAU OF AQUACULTURE
COMPUTATION OF LEASE AREA

Date: 11/3/2009

Lease Number is: 1

AREA = 4.12 Acres

Corner Positions

Cor Num	*	Latitude	Longitude
1		41 02 541	73 29.623
2		41 02 565	73 29.556
3		41 02 478	73 29.524
4		41 02 458	73 29.592

*CORNER NUMBERS READ CLOCKWISE FROM NW CORNER.

STATE OF CONNECTICUT
BUREAU OF AQUACULTURE
COMPUTATION OF LEASE AREA

Date 11/3/2009

Lease Number is: **2**

AREA = 2.04 Acres

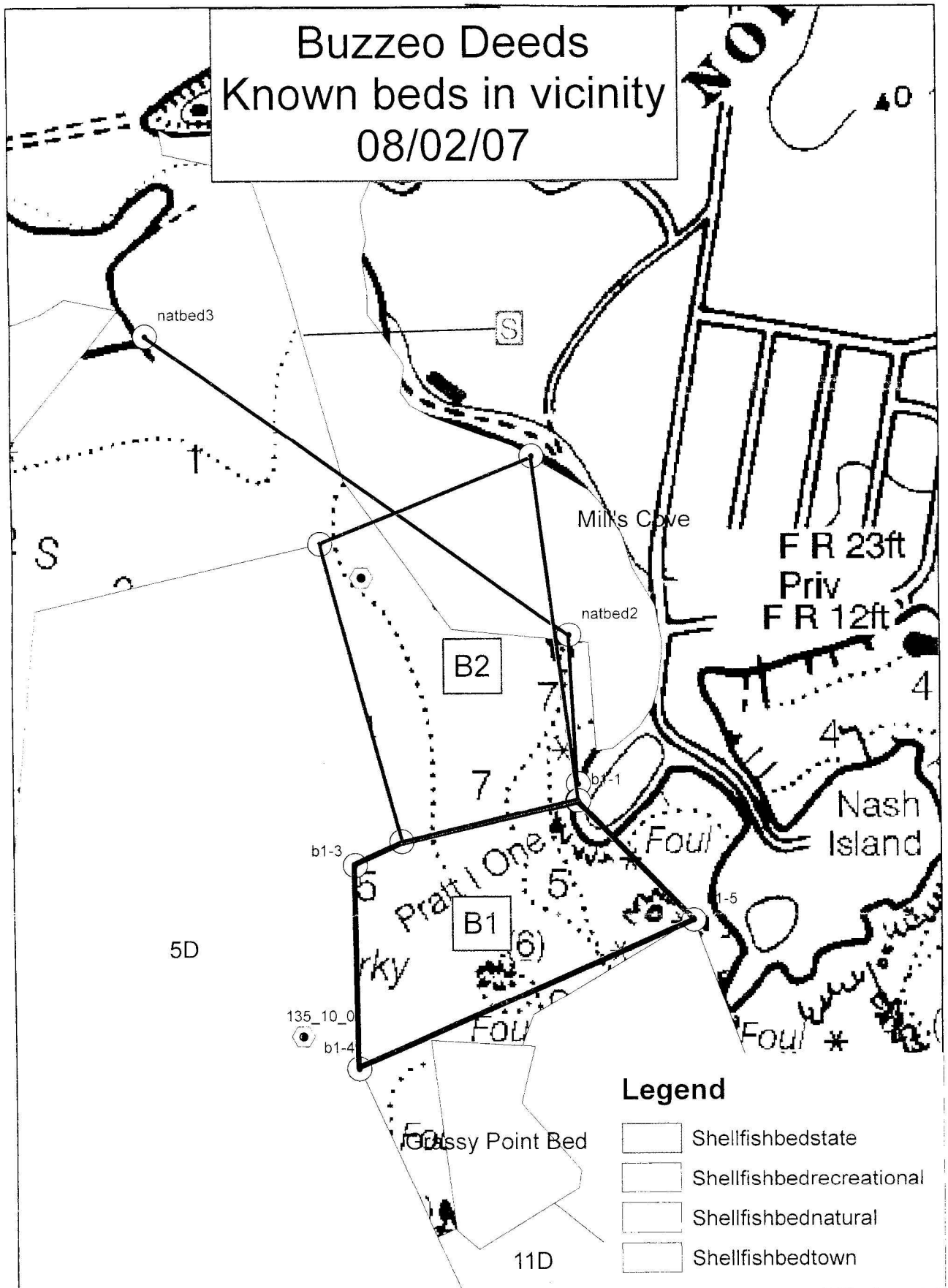
Corner Positions

Cor.

Num	*	Latitude	Longitude
1		41 02.565	73 29.556
2		41 02.576	73 29.524
3		41 02.488	73 29.491
4		41 02.478	73 29.524

*CORNER NUMBERS ARE CLOCKWISE FROM NW CORNER.

Buzzeo Deeds Known beds in vicinity 08/02/07



ROUGH DRAFT 11/04/09

Managing Darien's Coastal Resources

[Text]

Introduction: Purpose of this Report

The objective of this report is to acquaint Town officials, Town Commissions, boaters, and residents, with the mission, roles and activities of the Darien Advisory Commission on Coastal Waters.

Mission & Goals

The Darien Advisory Commission on Coastal Waters (the Commission), created in 19--, provides advice and counsel to the Board of Selectmen in carrying out its roles in managing the activities, in and along, the coastal waters of Darien. Such activities include: boat operations, safety, moorings, dredging, shellfishing, shoreside developments, docks, piers, environmental issues, and permits from Federal and State agencies.

And more broadly, to recommend policies, guidelines, and strategies to be used by the Selectmen on decisions affecting the Town's quality of life in its harbors and coastline.

Overview of Coastal Recourses: [Chart(s) of Defined harbors---Shoreline---Shellfish Beds---Public beaches---Islands--- Holly Pond---Residential development]

Boating Overview: [Number of boats in Darien waters---Noroton Yacht Club---Darien Boat Club---Public launch ramps---Boating regulations---Dredging & Disposal---Aids to navigation]

Shellfish Beds and Related Issues

Interaction with Government Agencies: [Board of Selectmen---Planning and Zoning---Park & Recreation---Police & Fire Depts---Public Health---CT/DEP---CT/DOT---State Harbor Master---Army Corps of Engineers---U.S. Coast Guard---State & Federal Fish & Wildlife Services]

Interaction with Government Agencies: [Board of Selectmen---Planning and Zoning---Park & Recreation---Police & Fire Depts---Public Health---CT/DEP---CT/DOT---State Harbor Master---Army Corps of Engineers---U.S. Coast Guard---State & Federal Fish & Wildlife Services]

Coastal Problems and Solutions: [Present and Future]

Recommendations for Actions

Appendix